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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,712	06/25/2001	Glenn R. Engel	10003416-1	1807

7590   06/18/2007

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER
PATEL, NIKETA I

ART UNIT	PAPER NUMBER
2181	

MAIL DATE	DELIVERY MODE
06/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/891,712	ENGEL ET AL.
	Examiner	Art Unit	
	Niketa I. Patel	2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12 April 2007*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *21-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *21-36* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *25 June 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 4/12/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 21-27 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mendez et al. US 2004/0139178 A1 (hereinafter referred to as "*Mendez*") and further in view of

Cochran et al. U.S. 2002/0161867 A1 (hereinafter referred to as "*Cochran*".)

Referring to claims 21, 29, *Mendez* teaches a system for configuring a network device

coupled to a local network [see figure 10], comprising: configuration server coupled to a

network, the configuration server coupled to a network [see paragraph 0041 – global server 115

that includes a configuration system 155], the configuration server generating a web page that

enables access to a configuration applet [see paragraph 0050 – the operating system 380 includes

an applet host engine 395, both of which are part of the global server, see figure 3; the host

engine 395 transmits applets to remote terminal and a configuration engine 389 operates in

conjunction with the applet host engine for transmitting configuration applets]; node coupled to

the network and the local network [see paragraphs 0050, 0072-0075 – remote terminal], the node

including a web browser that enables a user to load the configuration applet form the

configuration server onto the node via the network by accessing the web page [see paragraphs

0050, 072-0075 – the configuration applet is loaded onto the remote terminal.] *Mendez* is silent

regarding the limitations of such that the configuration applet when executing on the node

searches the local network for the network device, the web browser enabling the user to generate

a set of network configuration parameters for the network device under control of the

configuration server by communicating with the configuration server via the network. *Cochran*

teaches that the computing device 14 loads a configuration assembly 12 from a device over a

network to facilitate a search on the local network for the network device [see paragraph 0040,

web pages, paragraph 0043, searching the network to locate the device], the web browser

enabling the user to generate a set of network configuration parameters for the network device

under control of the configuration server by communicating with the configuration server via the

network [see paragraphs 42-43 – the device configuration assembly 12 is displayed to the user

and allows user to select the desired communication interfaces from the address search option,

i.e., enables user to generate (select) network configuration parameters (desired communication

interface) for the network device (device)] in order to provide a system/method for networking a

desired device, by electronically locating a desired device on a network, and remotely

configuring operational parameters of the desired device via the local network.

One of ordinary skill in the art at the time of applicant's invention would have clearly recognized that it is quite advantageous for the system of *Mendez* to be able to search the local network for the network device in order to allow a user to determine whether the devices exists on the local network by searching the desired devices before configuring the network device. It is for this reason that one of ordinary skill in the art would have been motivated to implement system of searching the local network before configuring the network device.

Referring to claims 22, 30, *Mendez* as modified by the teachings of *Cochran,* teaches wherein the configuration server generates a set of configuration web pages that enable the user to obtain a set of network configuration parameters for the network device via the web browser [see paragraphs 0050, 0072-0075.]

Referring to claims 23, 31, *Mendez* as modified by the teachings of *Cochran,* teaches wherein the configuration web pages enable the user to enter a set of addresses on the local network for the network configuration parameters [see paragraphs 0058-0059.]

Referring to claims 24, 32, *Mendez* teaches wherein the configuration web pages include a web page that enables the user to enter an address for the network device [see paragraphs 0058-0059.]

Referring to claims 25, 33, *Mendez* as modified by the teachings of *Cochran,* teaches wherein the configuration web pages include a web page that enables the user to enter an address for a proxy server on the local network [see paragraphs 0078-0079.]

Referring to claims 26, 34, *Mendez* teaches wherein the configuration web pages include a web page that enables the user to enter an address for the configuration server [see paragraphs 0050, 0072-0076, URL to call the global server.]

Referring to claims 27, 35, *Mendez* as modified by the teachings of *Cochran,* teaches wherein the configuration applet executing on the node transfers the network configuration parameters to the network device via the local network [see paragraphs 0050, 0072-0076, LAN.]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 28 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Mendez & Cochran* as applied to claims 21 and 29 above, and further in view of Wendt et al. U.S. Patent Number: 6,067,558 (hereinafter referred to as *"Wendt".*)

Referring to claims 28, 36, *Mendez* as modified by the teachings of *Cochran,* teaches a system for configuring a network device coupled to a local   network [see figure 10.] *Mendez* does not set forth the limitation of wherein the configuration applet searches the local network for the network deivce by transferring a multi-cast query message via the local network and detecting responses, *Wendt* however teaches this limitation [see column 3, lines 30-39] in order to discover elements on a network.

One of ordinary skill in the art at the time of applicant's invention would have clearly recognized that it is quite advantageous for the system of *Mendez* as modified by the teachings of *Cochran,* to be able to use multicast query messages because it allows a single device and multiple members of a device group to communicate efficiently. It is for this reason that one of

ordinary skill in the art would have been motivated to use multi-cast query message to search for devices on a local network because it allows a single device and multiple members of a device group to communicate efficiently.

Response to Arguments

Applicant's arguments filed 10/17/2006 have been fully considered but they are not persuasive. The applicant argues that the combination of Mendez et al. US 2004/0139178 A1 (hereinafter referred to as "*Mendez*") and Cochran et al. U.S. 2002/0161867 A1 (hereinafter referred to as "*Cochran*") fails to teach the newly added limitation of "the web browser enabling the user to generate a set of network configuration parameters for the network device under control of the configuration server by communicating with the configuration server via the network" [see pages 6-7 of the 'Remark' section.]

The examiner respectfully disagrees with this argument.

Cochran teaches a web browser enabling the user to generate a set of network configuration parameters for the network device under control of the configuration server by communicating with the configuration server via the network [see paragraphs 42-43 – the device configuration assembly 12 is displayed to the user and allows user to select (i.e., enables user to generate) the desired communication interfaces (i.e., network configuration parameters) from the address search option. Furthermore, the network information is the table 146 is detected by the device configuration assembly 12, which then displays the information to the user for viewing and modification.]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (571) 272 4156. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272 4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner:

Niketa Patel
6/11/2007